

By: Representatives Mayo, Holloway, Espy

To: Transportation

## HOUSE BILL NO. 613

1 AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE SHERIFF AND HIS DEPUTIES IN ANY COUNTY TO USE  
3 RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS, ROADS AND  
4 HIGHWAYS OF THE COUNTY LYING OUTSIDE OF THE LIMITS OF ANY  
5 INCORPORATED MUNICIPALITY AND UPON WHICH THE SPEED LIMIT IS  
6 CLEARLY POSTED; TO AUTHORIZE THE SHERIFF AND HIS DEPUTIES IN ANY  
7 COUNTY TO USE RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC  
8 STREETS, ROADS AND HIGHWAYS OF THE COUNTY, INCLUDING WITHIN THE  
9 CORPORATE LIMITS OF ANY MUNICIPALITY WITHIN THE COUNTY, WITHIN A  
10 SCHOOL ZONE DURING SCHOOL HOURS AND UPON WHICH THE SCHOOL ZONE AND  
11 SPEED LIMIT IS CLEARLY POSTED; TO REVISE THE PENALTIES THAT MAY BE  
12 IMPOSED FOR A VIOLATION OF THIS SECTION; AND FOR RELATED PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 **SECTION 1.** Section 63-3-519, Mississippi Code of 1972, is  
15 amended as follows:

16 63-3-519. (1) It shall be unlawful for any person or peace  
17 officer or law enforcement agency, except the Mississippi Highway  
18 Safety Patrol, to purchase or use or allow to be used any type of  
19 radar speed detection equipment upon any public street, road or  
20 highway of this state. However, such equipment may be used:

21 (a) By municipal law enforcement officers of an  
22 incorporated municipality \* \* \* upon the public streets of the  
23 municipality;

24 (b) By any college or university campus police force  
25 within the confines of any campus wherein more than two thousand  
26 (2,000) students are enrolled;

27 (c) By municipal law enforcement officers in any  
28 municipality having a population in excess of fifteen thousand  
29 (15,000) according to the latest federal census on federally  
30 designated highways lying within the corporate limits;

31 (d) By the sheriff of any county and his deputies upon  
32 any public road, street or highway:

33                   (i) That is under the jurisdiction of the county  
34 board of supervisors for maintenance and construction;

35                   (ii) That is located outside the corporate limits  
36 of an incorporated municipality; and

37                   (iii) Upon which the speed limit is clearly  
38 posted; and

39                   (e) By the sheriff of any county and his deputies upon  
40 any public road, street or highway within the county, including  
41 within the corporate limits of any municipality within the county:

42                   (i) Within a school zone during school hours; and

43                   (ii) Upon which the school zone and speed limit is  
44 clearly posted.

45           (2) The Mississippi Highway Safety Patrol shall not set up  
46 radar on highways within municipalities with a population in  
47 excess of fifteen thousand (15,000) according to the latest  
48 federal census.

49           (3) Every person convicted for a violation of subsection  
50 (1)(d) or (1)(e) of this section shall be punished for a first  
51 conviction thereof by a fine of not more than Fifty Dollars  
52 (\$50.00); for a second conviction within one (1) year thereafter  
53 such person shall be punished by a fine of not more than One  
54 Hundred Dollars (\$100.00); and for a third or subsequent  
55 conviction within one (1) year after the first conviction such  
56 person shall be punished by a fine of not more that Five Hundred  
57 Dollars (\$500.00), or by imprisonment for not more that six (6)  
58 months, or by both such fine and imprisonment. No state  
59 assessment provided for by Section 99-19-73 or by any other state  
60 law may be imposed or collected for a first or second conviction  
61 of subsection (1)(d) or (1)(e) of this section.

62           **SECTION 2.** This act shall take effect and be in force from  
63 and after July 1, 2007.